

ERASTUS PIERSON.

[To accompany bill H. R. No. 176.]

MARCH 5, 1840.

Mr. CARR, from the Committee on Revolutionary Pensions, made the following

REPORT:

The Committee on Revolutionary Pensions, to whom was referred the petition of Rhoda Pierson, Lydia Pierson, Caleb Pierson, and Jotham Pierson, ask leave to report :

That they have examined the petition and papers, and that they concur in the report made at a former session of Congress, which is herewith submitted.

"It fully appears, from the evidence appended to the petition, that the petitioners are the children of Erastus Pierson, of Essex county, in the State of New Jersey; and that their father is at this time, and has been for several years past, infirm in body and impaired in mind and memory, insomuch that he cannot transact ordinary business. They claim that their father was a soldier of the revolution; and as he is unable, for the causes referred to, to make any application for a pension, or to state the nature of his services while in the army, they present their petition on his behalf. The affidavits of four persons, all certified to be respectable, prove that Mr. Pierson served at least eighteen months as a private in the militia of the State of New Jersey, at different periods, and was attached to Colonel Philip Van Cortland's regiment. He was at the battles of Long Island, of Connecticut Farms, and of Springfield; and having performed his duty to his country in his youth, is now left, at the age of eighty-three, so wrecked in mind that his memory cannot recall his services or his sufferings.

"The committee do not hesitate to decide that the petition ought to be granted; and herewith report a bill allowing a pension to Erastus Pierson for eighteen months' service as a revolutionary soldier."

WAR DEPARTMENT,
Pension Office, June 16, 1836.

SIR: The depositions upon which the claim of Erastus Pierson (superannuated and incapable of making a declaration) is asserted, have been examined and placed on our files.

In cases of this kind, it is requisite that the witnesses shall furnish in open court that specification of the period, length, and grade of each tour,

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with the names of officers, and places where stationed or marched, which the regulations require each claimant to make, and which a *pro rata* pension renders indispensable. These depositions are too general in stating that he served three months in several designated years, at certain places, under certain officers; and conflict with each other as to the officers at particular periods. Unless a consistent statement of each term of service in the above particulars can be furnished by the witnesses in open court, and the opinion of the court upon the merits of the claim and the credibility of the traditionary evidence is obtained, it will be useless to pursue the subject under regulations for the adjustment of claims, with which his misfortune would appear to render it impracticable to comply, and which the department cannot relax. His case would furnish a suitable subject for an application to the liberality of Congress.

I am, respectfully, your most obedient servant,

J. L. EDWARDS.

SAMUEL B. MILLER, Esq.,
Newark, New Jersey.